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Serial No. 10/729,570
Response to Final Action
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Remarks:

Claims 1-20 and 24-31 are pending in the present application. The amendments to claims 1 and 9 have been previously submitted but have not been entered. The examiner stated that the amendments constitute new matter and would necessitate new search. It was, however, noted that if the amendments were entered, the rejection under 35 U.S.C. § 112 would be withdrawn. The new search is now warranted in view of the Request for Continued Examination.

The amendment to claim 1 removes the proviso "with the proviso that R¹ is not a heterocyclic base." The amendment to claim 9 cures the lack of antecedent basis for the term "R¹" as this term has not been otherwise mentioned in this independent claim. Claim 18 (dependent only on claim 15) is also amended to remove the reference to "second fluorescent dye" for which there was insufficient antecedent basis in claim 15. Finally, claim 28 is amended to conform with the requirements of 37 CFR 1.121(c), as noted by the examiner. As amended, claim 28 incorporates the limitation of claim 15, one of the claims from which it depended in its original form.

All the amendments are made to conform with the requirements of form set forth in the Final Office Action and the Advisory Action. Accordingly, entry of the amendments to the claims is respectfully requested.

Conclusion:

As stated in the Advisory Action, the amendments obviate the rejections under 35 U.S.C. §112. It is believed that claims as amended are in condition for allowance. The Commissioner is hereby authorized to charge the five-month extension of time fee (large entity) under 37 CFR 1.17 to Account No. 50-0812. The Commissioner is further authorized to charge any fee deficiency, or credit any overpayment, to Deposit Account No. 50-0812.

If the Examiner believes a telephone conference would expedite prosecution of this application, she may telephone the undersigned directly at 510-814-2891.

Respectfully submitted,

Date: *Dec. 6, 2007*



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